

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                          |   |                        |
|--------------------------|---|------------------------|
| ROBERT LEE CARTER, SR.,  | ) |                        |
|                          | ) |                        |
| Plaintiff,               | ) |                        |
|                          | ) |                        |
| vs.                      | ) | Case No. 4:09CV624 RWS |
|                          | ) |                        |
| MISSOURI DEPARTMENT OF   | ) |                        |
| SOCIAL SERVICES,         | ) |                        |
| Family Support Division, | ) |                        |
|                          | ) |                        |
| Defendant.               | ) |                        |


**MEMORANDUM AND ORDER**

Plaintiff Robert Carter has filed a motion to reconsider the dismissal of his claims against Defendant FSD under the Age Discrimination in Employment Act (ADEA), 29 U.S.C. §§ 621-634 (Id.), and the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq. Carter seeks \$157 million in damages from this state agency.

Carter argues that the Eleventh Amendment should not bar ADA and ADEA suits against state agencies. As discussed in my previous order, such suits are barred and this Court must follow the precedents of the United States Supreme Court on the application of sovereign immunity to ADA and ADEA claims.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's motion to reconsider [#31] is **DENIED**.

  
\_\_\_\_\_  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 24th day of November, 2009.